services) to the Department of Defense, engaged in research and development for the Department, or performed construction for the Department: and

(B) was paid $25,000,000 or more for such contract activities.

(c) WAIVER OF CERTAIN SMALL BUSINESS ACT SUBCONTRACTING PLAN REQUIREMENTS.—A Department of Defense contractor is not required to negotiate or submit a subcontracting plan under paragraph (4) or (5) of section 8(d) of the Small Business Act (15 U.S.C. 637(d)) with respect to a Department of Defense contract if—

(1) the contractor has negotiated a comprehensive subcontracting plan under the test program that includes the matters specified in section 8(dX6) of the Small Business Act (15 U.S.C. 637(dX6));

(2) such matters have been determined acceptable by the Secretary of the military department or head of a Defense Agency negotiating such comprehensive subcontracting plan; and

(3) the comprehensive subcontracting plan applies to the contract.

(d) FAILURE TO MAKE A GOOD FAITH EFFORT TO COMPLY WITH A COMPANY-WIDE SUBCONTRACTING PLAN.—A contractor that has negotiated a comprehensive subcontracting plan under the test program shall be subject to section 8(dX4XF) of the Small Business Act (15 U.S.C. 637(dX4XF)) regarding the assessment of liquidated damages for failure to make a good faith effort to *comply with* its company-wide plan and the goals specified in that plan.

(e) TEST PROGRAM PERIOD.—The test program authorized by subsection (a) shall begin on October 1, 1990, unless Congress adopts a resolution disapproving the test program. The test program shall terminate on September 30, 1993.

(f) REPORT.—(1) Not later than March 1, 1994, the Secretary of Defense shall submit a report on the results of the test program to the Committees on Armed Services and on Small Business of the Senate and the House of Representatives.

(2) Before submitting such report to the committees referred to in paragraph (1), the Secretary shall transmit the proposed report to the Administrator of the Small Business Administration. The report submitted to the committees shall include any comments and rec-

ommendations relating to the report that are transmitted to the Secretary by the Administrator before the date specified in such paragraph.

(g) DEFINITIONS.—As used in this section:

(4) The term "small business concern" shall have the same meaning as is provided in section 8(dX3XC) of the Small Business Act (15 U.S.C. 637(dX3XC)). and includes a small business concern owned and controlled by socially and economically disadvantaged individuals.

(5) The term "small business concern owned and controlled by socially and economically disadvantaged individuals" shall have the same meaning as is provided in section 8(dX3XC) of the Small Business Act (15 U.S.C. 637(dX3XC)).